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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,362	02/10/2004	Thomas Wellhausen	DTW-2480	3183
7590 11/04/2005 LERNER AND GREENBERG, P.A. POST OFFICE BOX 2480 HOLLYWOOD, FL 33022-2480			EXAMINER IWUCHUKWU, EMEKA DERRICK	
			ART UNIT 2645	PAPER NUMBER

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/776,362	WELLHAUSEN, THOMAS	
	<b>Examiner</b>	<b>Art Unit</b>	
	Emeka D. Iwuchukwu	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 3/8/2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/10/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement (IDS) submitted on 2/10/04 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,3,4,7,13,17-22 are rejected as being anticipated by Yoshizawa U.S. Patent Pub 2002/0031139 A1.

**With respect to claim 1**, Yoshizawa teaches a telecommunications terminal, comprising: a bi-directional communication device having data, functional, and setting parameters (paragraphs 83,87,92); a storage apparatus connected to said communication device and storing said data, functional and setting parameters of said communication device (5, Fig 10; paragraphs 83,87); a Universal Serial Bus (USB) interface connected to at least one of said communication device and said storage apparatus (3a, Fig 10); a USB memory stick removably connected to said USB interface ("USB memory card", Fig 10); and said storage apparatus storing said data, functional and setting parameters of said communication device on said USB memory stick through said USB interface (paragraphs 83,87,95).

**With respect to claim 3,** Yoshizawa teaches the telecommunications terminal according to claim 1, wherein: said communication device has functional parts; and said USB memory stick is connected to said functional parts through said USB interface (Fig 10).

**With respect to claim 4,** Yoshizawa teaches the telecommunications terminal according to claim 3, wherein: said communication device has an internal memory unit; and said USB memory stick is connected to said memory unit through said USB interface (5, Fig 10).

**With respect to claim 7,** Yoshizawa teaches the telecommunications terminal according to claim 1, further comprising a USB controller, said USB memory stick being connected to said USB interface through said USB controller (3a, Fig 10).

**With respect to claim 13,** Yoshizawa teaches the telecommunications terminal according to claim 1, further comprising a housing having an insert slot configured to removably receive said USB memory stick, said communication device, said storage apparatus and said USB interface being disposed in said housing (Figs 4,10).

**With respect to claim 17,** Yoshizawa teaches the telecommunications terminal according to claim 1, wherein said communication device is selected from the group consisting of a cordless telephone, a DECT Standard cordless telephone, a table telephone, and a mobile telephone (Fig 4).

**With respect to claim 18,** Yoshizawa teaches the telecommunications terminal, comprising: a bi-directional communication device having data, functional, and setting parameters (paragraphs 83,87,92); a Universal Serial Bus (USB) interface (3a, Fig 10);

Art Unit: 2645

a USB memory stick removably connected to said USB interface ("USB memory card", Fig 10); and a means for storing said data, functional, and setting parameters of said communication device on said USB memory stick through said USB interface, said storage means connected to said communication device and to said USB interface (paragraphs 83,87,95; 3a, Fig 10).

**With respect to claim 19**, Yoshizawa teaches the telecommunications terminal, comprising: a bi-directional communication device having data, functional, and setting parameters (paragraphs 83,87,92); a Universal Serial Bus (USB) interface connected to said communication device (3a, Fig 10); and a USB memory stick removably connected to said USB interface ("USB memory card", Fig 10), said USB memory stick storing said data, functional, and setting parameters of said communication device and selectively transmitting said data, functional, and setting parameters of said communication device to said communication device through said USB interface (paragraphs 83,87,92; 3a, Fig 10).

**With respect to claim 20**, Yoshizawa teaches the telecommunications terminal, comprising: a bi-directional communication device having data, functional, and setting parameters (paragraphs 83,87,92); a Universal Serial Bus (USB) interface connected to said communication device (3a, Fig 10); a USB memory stick removably connected to said USB interface ("USB memory card", Fig 10), said USB memory stick storing said data, functional, and setting parameters of said communication device; and said communication device reading said data, functional, and setting parameters from said USB memory stick through said USB interface (paragraphs 83,87,92).

**With respect to claim 21**, Yoshizawa teaches the telecommunications terminal, comprising: a Universal Serial Bus (USB) interface to be connected to a USB memory stick (3a, Fig 10); and an apparatus for storing data, functional, and setting parameters for the telecommunications terminal connected to said USB interface (5, Fig 10), said apparatus storing the parameters on the USB memory stick when connected to said USB interface (paragraphs 83,87,92,95).

**With respect to claim 22**, Yoshizawa teaches the method for operating a telecommunications terminal, comprising: providing a bi-directional communication device with data, functional, and setting parameters (paragraphs 83,87,92) and a Universal Serial Bus (USB) interface (3a, Fig 10); removably connecting a USB memory stick to the USB interface (paragraph 95); and storing the data, functional, and setting parameters of the communication device on the USB memory stick through the USB interface (paragraphs 83,87,95).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

Art Unit: 2645

1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
6. Claims 2,10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshizawa U.S. Patent Pub 2002/0031139 A1 in view of Polcha et al. U.S. Patent Pub 2003/0217126 A1 (hereinafter Polcha).

**With respect to claim 2**, Yoshizawa teaches the telecommunications terminal according to claim 1. Yoshizawa fails to specifically mention the USB memory stick stores data for said communication device selected from at least one of the group consisting of telephone book data, short messages data, access code data, authorization data, and authorization words.

In the same field of endeavor, Polcha teaches a similar telecommunications terminal wherein the USB memory stick stores data for said communication device selected from at least one of the group consisting of telephone book data, short messages data, access code data, authorization data, and authorization words (paragraphs 124,125).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to store data for said communication device selected from at least one of the group consisting of telephone book data, short messages data, access code data, authorization data, and authorization words for security as taught by Polcha (paragraphs 124, 125).

**With respect to claims 10-12**, Yoshizawa teaches the telecommunications terminal according to claim 1. Yoshizawa fails to specifically mention the USB memory stick has an EEPROM connected to a USB controller and is connected to said USB interface through said USB controller.

In the same field of endeavor, Polcha teaches a similar telecommunications terminal wherein the USB memory stick has an EEPROM (8030, Fig 11) connected to a USB controller (8050, Fig 11) and is connected to said USB interface through said USB controller (Fig 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a USB memory stick that has an EEPROM connected to a USB controller and is connected to said USB interface through said USB controller so the memory stick can securely store authentication or authorization data as taught by Polcha (paragraphs 124,125).

7. Claims 5,8,9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshizawa U.S. Patent Pub 2002/0031139 A1 in view of Kobayashi et al. 2003/0045327 A1 (hereinafter Kobayashi).

**With respect to claim 5**, Yoshizawa teaches the telecommunications terminal according to claim 4. Yoshizawa fails to specifically mention the memory unit is a memory selected from the group consisting of RAM and FLASH memory.



In the same field of endeavor, Kobayashi teaches a similar telecommunications terminal wherein the memory unit is a memory selected from the group consisting of RAM and FLASH memory (24, Fig 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a memory selected from the group consisting of RAM and FLASH memory so as to store programs and other data for the terminal as taught by Kobayashi (paragraph 42).

**With respect to claims 8&9**, Yoshizawa teaches the telecommunications terminal according to claim 7. Yoshizawa fails to specifically mention it further comprises an EEPROM connected to the USB controller.

In the same field of endeavor Kobayashi teaches a similar telecommunications terminal further comprising an EEPROM, the USB controller being connected to said EEPROM (22, Fig 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include an EEPROM in the terminal to record setup information of the portable external storage device, such as a USB memory stick, as taught by Kobayashi (paragraph 40).

8. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshizawa U.S. Patent Pub 2002/0031139 A1 in view of Peng et al. U.S. Patent Pub 2003/0050938 A1 (hereinafter Peng).

Yoshizawa teaches the telecommunications terminal according to claim 1. Yoshizawa fails to specifically mention the USB memory stick is a USB memory stick duo.

In the same field of invention, Peng teaches a similar telecommunications terminal wherein the USB memory stick is a USB memory stick duo (paragraph 47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the option of using a USB memory stick duo for versatility as taught by Peng (paragraph 47).

9. Claims 14&15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshizawa U.S. Patent Pub 2002/0031139 A1 in view of Nishio et al. U.S. Patent Pub 2003/0008563 A1 (hereinafter Nishio).

**With respect to claims 14&15**, Yoshizawa teaches the telecommunications terminal according to claim 13. Yoshizawa fails to specifically mention the USB interface has a lock; and said lock selectively locks said USB memory stick so that it is lockably connected to said USB interface.

In the same field of endeavor, Nishio teaches a similar telecommunications terminal wherein the USB interface has a lock and the lock selectively locks the USB memory stick so that it is lockably connected to the USB interface (paragraph 52).

It would have been obvious to one of ordinary skill in the art at the time the invention was made for the USB interface has a lock and the lock selectively locks the

USB memory stick so that it is lockably connected to the USB interface so the USB memory stick does not fall out of the USB interface.

10. **Claim 16** is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshizawa U.S. Patent Pub 2002/0031139 A1 in view of Lee 2004/0075977 A1.

Yoshizawa teaches the telecommunications terminal according to claim 13, wherein the housing has a face (Fig 4). Yoshizawa fails to specifically mention the USB memory stick is removably connected to said insert slot to end flush with said face.

In the same field of endeavor, Lee teaches a similar telecommunications terminal wherein the USB memory stick is removably connected to the insert slot to end flush with said face (paragraph 8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the USB memory stick be removably connected to the insert slot to end flush with said face to maintain the surface integration of the housing as taught by Lee (paragraph 8).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emeka D. Iwuchukwu whose telephone number is (571) 272-5512. The examiner can normally be reached on M-F (9.30AM - 6PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2645

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EDI

**OVIDIO ESCALANTE  
PATENT EXAMINER**

*Ovidio Escalante*